



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application : LEIF HERMANSSON, ET AL.
Serial No. : 10/580,613
Filed : May 24, 2006
For : IMPLANT AND METHOD OF PRODUCING
THE SAME, AND A SYSTEM FOR IMPLANTATION
Examiner :
Attorney Docket : 102881-102
Group Art Unit :
Confirmation No. :
Customer No. : 27267

I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 24 Oct 2006.

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the Examiner is respectfully requested to consider the references cited on attached Form PTO-1449. A copy of each reference (if not previously submitted) is enclosed. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

1. This Information Disclosure Statement is being filed within three months of the U. S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

- [] 2. This Information Disclosure Statement is being filed more than three months after the U. S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - [] a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
 - [] b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- [] Please charge Deposit Account No. 23-1665 in the amount of \$180.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- [] A check in the amount of \$180.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- [] 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
 - [] a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

[] b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).

[] Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.

[] A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

LEIF HERMANSSON, ET AL.

Date: 24 OCT 2006

By: Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

WIGGIN AND DANA LLP
One Century Tower
New Haven, CT 06508-1832
Telephone: (203) 498-4400
Telecopier: (203) 782-2889



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : LEIF HERMANSSON, ET AL.
Serial No. : 10/580,613
Filed : May 24, 2006
For : IMPLANT AND METHOD OF PRODUCING
THE SAME, AND A SYSTEM FOR IMPLANTATION
Examiner :
Attorney Docket : 102881-102
Group Art Unit :
Confirmation No. :
Customer No. : 27267

I hereby certify that this correspondence is being deposited with the United States Postal Service, First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 24 Oct 2006.

By Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

INFORMATION DISCLOSURE LETTER

Commissioner for Patents
U. S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

1. United States Patent Application Publication No. US 2003/0215484 A1 (AXEN, NIKLAS, ET AL.) 20 November 2003 (2003-11-20).
2. International Patent No. WO 01/76535 A1 (HERMANSSON, LEIF and SAHLBERG, LENA) 18 October 2001 (2001-10-18).
3. International Patent No. WO 02/05861 A1 (LIDGREN, LARS) 24 January 2002 (2002-01-24).
4. International Patent No. WO 03/041662 A1 (HERMANSSON, LEIF, ET AL.) 22 May 2003 (2003-05-22).
5. International Patent No. WO 2004/000239 A1 (HERMANSSON, LEIF, ET AL.) 31 December 2003 (2003-12-31).
6. CINI, L., ET AL., "*Thermodifferential Analysis of Ceramic Implants*", JOURNAL OF BIOMEDICAL MATERIALS RESEARCH., Vol. 9, Pages 441-451 (1975).
7. PEREIRA, M. M., ET AL., "*Calcium phosphate formation on sol-gel-derived bioactive glasses in vitro*", JOURNAL OF BIOMEDICAL MATERIALS RESEARCH; Vol. 28, Pages 693-698 (1994).

Applicants submit that copies of the above-cited references are enclosed herewith.

If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

LEIF HERMANSSON, ET AL.

Date: 24 Oct 2006

By: Todd E. Garabedian
Todd E. Garabedian, Ph.D.
Registration No. 39,197
Attorney for Applicants

WIGGIN AND DANA LLP
One Century Tower
P. O. Box 1832
New Haven, CT 06508-1832
Telephone: (203) 498-4400
Fax: (203) 782-2889

FORM PTO-1449